

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BAJAJ GAS AND CONVENIENCE, INC., and RANJIT SINGH,	X	
	:	Case No.: 7:24-cv-04849
Plaintiffs,	:	
- against -	:	<b><del>PROPOSED</del></b>
	:	<b>ORDER TO SHOW</b>
BP PRODUCTS NORTH AMERICA INC.,	:	<b>CAUSE, WITH T.R.O.</b>
Defendant.	:	
	X	

Upon the Verified Complaint, and the exhibits annexed thereto; the Affirmation of Susan E. Galvão, Esq., and the exhibits annexed thereto; upon the Memorandum of Law of Plaintiffs Bajaj Gas and Convenience, Inc. and Ranjit Singh (collectively, “Plaintiffs” or “Bajaj”); and upon all the pleadings and prior proceedings held herein; it is hereby

**ORDERED**, that the above-named Defendant BP Products North America, Inc. (“BP”) show cause before the Hon. Philip M. Halpern, U.S.D.J., at the United States Courthouse located at 300 Quaroppas Street, in Courtroom 520, White Plains, New York 10601, on July 24, 2024, at 10:30 o’clock in the fore noon thereof, or as soon thereafter as counsel may be heard, why an Order should not be issued under Federal Rules of Civil Procedure, Rule 65(a) and (b), and the authority of this Court, granting Plaintiffs:

- (a) a *Yellowstone* injunction, enjoining and restraining BP and its employees, servants, agents, attorneys, affiliates, partners and all other persons acting on behalf of or in concert with BP, during the pendency of this action, from disturbing the *status quo* by: (1) taking any steps to terminate Bajaj’s rights under its agreements with BP, including, without limitation, commencing summary proceedings or any other actions or proceedings in furtherance of evicting Plaintiffs from the premises known as 190

- Aqueduct Road, White Plains, New York (“the Property”); (2) taking any action to otherwise oust Plaintiffs from the Property; and (3) disturbing in any manner the possession and rights of Bajaj to the Property, or its rights to use the BP trademarks and intellectual property and to continue to sell BP-branded gasoline at the Property; and (4) enjoining BP to continue to deliver and supply gasoline to Plaintiffs in quantities as needed, and/or in quantities equivalent to the average amounts delivered and supplied to the property over the past 12 months, while this action is pending; and
- (b) a preliminary injunction enjoining and restraining BP and its employees, servants, agents, attorneys, affiliates, partners and all other persons acting on behalf of or in concert with BP, during the pendency of this action, from disturbing the *status quo* by: (1) taking any steps to terminate Bajaj’s rights under its agreements with BP, including, without limitation, commencing summary proceedings or any other actions or proceedings in furtherance of evicting Plaintiffs from the Property; (2) taking any action to otherwise oust Plaintiffs from the Property; (3) disturbing in any manner the possession and rights of Bajaj to the premises, or its rights to use the BP trademarks and intellectual property and to continue to sell BP-branded gasoline at the Property; and (4) enjoining BP to continue to deliver and supply gasoline to Plaintiffs in quantities as needed, and/or in quantities equivalent to the average amounts delivered and supplied to the property over the past 12 months, while this action is pending; and
- (c) such other and further relief that this Court deems just, proper and equitable; and it is

**FURTHER ORDERED** that, ~~pending a hearing and determination of this motion by order to show cause,~~ Defendant BP and its employees, servants, agents, attorneys, affiliates, partners and all other persons acting on behalf of or in concert with BP, are temporarily

until July 12, 2024 at 5:00 p.m.  
restrained and enjoined ~~during the pendency of this action~~, from disturbing the *status quo* by: (1) taking any steps to terminate Bajaj's rights under its agreements with BP, including, without limitation, commencing summary proceedings or any other actions or proceedings in furtherance of evicting Plaintiffs from the Property; (2) taking any action to otherwise oust Bajaj from the premises; (3) disturbing in any manner the possession and rights of Bajaj to the premises, or its rights to use the BP trademarks and intellectual property and to continue to sell BP-branded gasoline at the Property; and (4) enjoining BP to continue to deliver and supply gasoline to Plaintiffs in quantities as needed, and/or in quantities equivalent to the average amounts delivered and supplied to the property over the past 12 months, while this action is pending; and it is further

**FURTHER ORDERED** that service of a copy of this Order and the papers in support of Plaintiffs' motion upon Defendant's, via ECF and email to counsel of record for BP, shall be deemed good and sufficient service thereof.

**FURTHER ORDERED** that opposition papers, if any, shall be filed via ECF on or before \_\_\_\_\_, 2024, and reply papers, if any, shall be filed on or before \_\_\_\_\_ 2024.

Dated: \_\_\_\_\_, New York  
\_\_\_\_\_, 2024

\_\_\_\_\_  
Hon. Philip M. Halpern

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**ORDERED**, that security in the sum of \$50,000 shall be posted by Plaintiffs within five business days of the date hereof; and it is further

**ORDERED**, that this Order to Show Cause and the papers upon which it is based are deemed served upon Defendant via ECF filing; and it is further

**ORDERED**, that Defendant's opposition shall be filed via ECF on or before July 5, 2024 and Plaintiffs' reply shall be filed via ECF on or before July 12, 2024. Plaintiffs may seek leave to file sur-reply, if necessary, by filing a letter requesting such leave; and it is further

**ORDERED**, that the parties shall file letters on or before July 10, 2024 setting forth their respective positions concerning good cause to extend the temporary relief granted in this Order to Show Cause.

SO ORDERED.

Dated: White Plains, New York  
June 28, 2024



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Philip M. Halpern  
United States District Judge